

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**MINUTES OF PROCEEDINGS**

HONORABLE GEORGE Z. SINGAL

COURTROOM DEPUTY: Minerva **FIGUEROA**

DATE: October 21, 2005

COURT REPORTER: Patricia **GARSHAK**

CR: 00-108-1 (DRD)

COURT INTERPRETER: N/A

**USM present in Court-George Diaz**

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United States of America

AUSA-Warren Vazquez, Esq.

vs.

Fernando Gomez-Rosario

Lydia Lizarribar, Esq.(Stand by  
Counsel

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Case called for Re-Sentencing. Defendant is present in Court.

The Court inquires from the defendant if he will be represented by Counsel Lizarribar or if he will be pro-se, to which defendant states that he wished to continue pro-se.

The Court states to the defendant, that he is here to be re-sentenced pursuant to the methodology in U.S. vs. Booker.

Defendant requests a continuance, as he does not have his case file and legal papers. He also states that he had prepared a memorandum and needs the same to support his arguments for this hearing.

The Court states to the defendant that the issues to be heard are as to sentencing only, and the Court will limit the hearing to those matters which are solely related to sentencing matters.

Counsel for the Government is heard and states that he doesn't see anything that would affect defendant being sentenced on the Booker issue today.

Stand by Counsel Lizarribar is heard and states that she filed a motion for continuance and states the reasons for the record, which the Court, after hearing counsel, denies the same (docket #433).

After a recess given by the Court, the Court reconvenes and states that after having thought more about it, agrees to continue this **re-sentencing for December 2, 2005 at 9:00 A.M.**

**Any motions to be filed, the same are to be filed not later than November 18, 2005 and any response by November 25, 2005. The Court states that copies of motions and responses filed are to be sent to him in Maine. Hearing on any motions, if necessary will be held on December 1, 2005 at 1:00 P.M., which the Court will notify.**

**The U.S. Marshal's service shall ensure that defendant has his legal papers not later than November 4, 2005, at the very latest.** The U.S. Attorney is to follow up on this.

The Court states that with regard to prior counsel's file, the parties should follow up and let the Court know if there's any problem by November 4 in having the case transferred.

Copies of all motions should also be sent to Stand by Counsel Lizarribar so that she may review the same.

S/MINERVA FIGUEROA  
Courtroom Deputy Clerk

s/c to USM